

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's Action of April 20, 2005. Re-examination and reconsideration are respectfully requested.

The Office Action

Claims 1-9 and 19-24 were presented for examination. Claims 1-9 and 19-22 stand rejected as being unpatentable over a combination of Levine et al. '439 and Wang et al. '426.

It was noted by the Examiner that claims 23 and 24 contain allowable subject matter.

All Claims Remaining in the Application are Distinguished Over the Cited Art

Applicants have canceled claims 19-23 from further consideration.

The essential limitations of claims 22 and 23 have been inserted into independent claim 1. It is submitted that claim 23 was noted to contain allowable subject matter, and as this material has been added to claim 1, along with concepts of dependent claim 22, it is further submitted independent claim 1 is now distinguished.

As claims 2-9 and claim 24 depend from and further define independent claim 1, it is submitted these claims are also distinguished.

Applicants also note that in August of 2003, Applicants submitted a Declaration by the inventor to show that the invention of the present application was accomplished prior to the a reference to Cullen et al. '213. On April 7, 2005, the Examiner requested a copy of the supporting materials to that Declaration. Applicants supplied these on April 7, 2005. As this reference has not been raised again, it is Applicants' understanding that the Declaration has been accepted, as the Examiner has applied art other than Cullen et al.


CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-9 and 24) are now in condition for allowance. An early notice to that effect is therefore earnestly solicited.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark S. Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,

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